

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE Mitchell Thomas Penman, Sr. and Heather Leigh Penman

Debtors

**CASE NO. 3:11-bk-5899
CHAPTER 13**

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
AURORA BANK, FSB AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of Aurora Bank, FSB and to Strip Lien Effective Upon Discharge (the "Motion"). It is

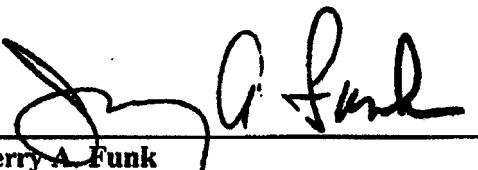
ORDERED:

1. The Motion is GRANTED.
2. Claim Number Seven filed by Aurora Bank, FSB shall be treated as an unsecured claim in the Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 34 Sea Trail, Palm Coast, Florida 32164, and more particularly described as follows: Lot 5, Block 83, of Palm Coast, Map of Seminole Park, Section 59, according to the Plat thereof, as recorded in Plat book 19, Page 41 through 50, and Plat Book 20, Page 1 through 8, of the public records of Flagler County, Florida.
4. The secondary mortgage held by Aurora Bank, FSB recorded on May 1, 2006, at Book 1427, Pages 132-141, Instrument No. 2006-022166 of the official records of Flagler County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if

appropriate, the avoidance of Aurora Bank, FSB's lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

Done and Ordered in Jacksonville, Florida on February 14, 2012.

BY THE COURT



Jerry A. Funk
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
J.B. VOL. 54 NO. 7491